

IN THE SUPREME COURT OF THE STATE OF ALASKA
ORDER NO. 1897

Adding new CINA Rule 1(f), Adoption Rule 1(f), and Probate Rule 15(e) to highlight the application of the Indian Child Welfare Act and the new ICWA regulations (effective December 12, 2016) in cases involving an Indian child, and relettering the former CINA Rule 1(f) and Adoption Rule 1(f).

IT IS ORDERED:

1. CINA Rule 1 is amended to read as follows:

Rule 1. Title—Scope—Construction—Situations Not Covered by the Rules.

* * * *

(f) Application of the Indian Child Welfare Act and Regulations. In all cases involving an Indian child, the statutory provisions of 25 U.S.C. 1901 et seq., and the ICWA regulations at 25 C.F.R. Part 23, published at 81 Fed. Reg. 38778 (June 14, 2016) and effective December 12, 2016, shall apply.

(gf) Situations Not Covered by These Rules. * * * *

2. Adoption Rule 1 is amended to read as follows:

Rule 1. Title—Scope—Construction—Situations Not Covered by the Rules.

* * * *

(f) Application of the Indian Child Welfare Act and Regulations. In all cases involving an Indian child, the statutory provisions of 25 U.S.C. 1901 et seq., and the ICWA regulations at

25 C.F.R. Part 23, published at 81 Fed. Reg. 38778 (June 14, 2016)
and effective December 12, 2016, shall apply.

(gf) Situations Not Covered by ~~the~~These Rules. * * * *

3. Probate Rule 15 is amended to include a new subsection (e), which reads as follows:

Rule 15. Guardianship of a Minor.

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(e) Application of the Indian Child Welfare Act and Regulations. In all cases involving an Indian child, the statutory provisions of 25 U.S.C. 1901 et seq., and the ICWA regulations at 25 C.F.R. Part 23, published at 81 Fed. Reg. 38778 (June 14, 2016) and effective December 12, 2016, shall apply.

DATED: November 3, 2016

EFFECTIVE DATE: December 12, 2016

/s/
Chief Justice Stowers

/s/
Justice Winfree

/s/
Justice Maassen

/s/
Justice Bolger

/s/
Justice Carney